II.—RULES UNDER THE DECCAN AGRICULTURISTS* RELIEF ACT, XVII of 1879.

The following Rules regulating registration by Village Registrars under the provisions of the Deccan Agriculturists' Relief Act, 1879, are published for general information:—

The following Rules are made by the Inspector-General of Registration with the previous sanction of the Governor of Bombay in Council under the provisions of section 61 of the Deccan Agriculturists' Relief Act, 1879, for regulating the proceedings and providing for the custody of the records of Village Registrars, in supersession of all previous Rules on the same subject:—

(Amended by Acts XXIII of 1881, XXII of 1882 & XXIII of 1886.)

(A)—Under Section 61.

Definitions. I.—In these Rules: (Notn. No. 6710, *B.G.G.*, 1882, p. 867.

(*a*) "Registrar" means the Registrar of a District appointed under the Indian Registration Act, 1877;

(*b*) "Táluka Village Registrar" means a Village Registrar having concurrent jurisdiction over the whole táluka of which he is Táluka Village Registrar and who is also a Sub-Registrar under the Indian Registration Act, 1877;

(*c*) "Special Village Registrar" means a Village Registrar of a circle consisting of one or more villages.

N.B.—Táluka Village Registrars may be also Special Village Registrars of Circles.

II.—Records.

(*a*) † *Register Book.*

Form of Register Book. 2. The Registers prescribed by section 58 of the Deccan Agriculturists Relief Act, 1879, shall be a book kept in the form of Appendix A.

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* For meaning of the word "agriculturists" *vide* I. L. R., 4 B., 360, and I. L. R, 10 B., 367, and section 52 as amended by XXII of 1882.

Memo. by the L. R.—I am of opinion that a Village Registrar should regard as an agriculturist any person who claims to be such and should not make any inquiry into the correctness of his description of himself. The only matter the Village Registrar is required to satisfy himself about is the identity of the intending executants (section 57 of the Deccan Agriculturists' Relief Act). If a person who is not really an agriculturist passes himself off as such before a Village Registrar, the consequences, if his deception is afterwards brought to light, will be upon his own head (G. R. No. 1820 of 15th March 1883, J. D.)

† *Registration of instruments to which Government is a party.*

Memo. by L. R.—An instrument to which Government or an officer of Government in his official capacity is a party should not be executed by a Village Registrar, but as regards Registration should follow the general law contained in the Indian Registration Act, 1877 (G. R. 3075, 7th May 1883, J. D.)

Documents to be registered by Village Registrars.

Memo. by L. R.—The practice of Village Registrars in construing section 56 as applying generally to all deeds of whatsoever description executed by agriculturists of the four districts is clearly wrong. Chapter VIII of the Deccan Agriculturists Relief Act does not, and was never intended to, apply to 'all deeds of whatsoever description, executed by agriculturists" but only to such instruments as are covered by the terms of section 56. An ordinary deed of adoption, *i. e.*, a deed which records the fact of adoption and nothing more, is not, in my opinion, an instrument of the nature described in that section (G. R. No. 3144, 5th May 1885, J. D.)

Examination of new Register Books.

3. A Village Registrar before bringing a new Register Book into use shall count the pages, and satisfy himself that the number thereof corresponds with that given in the certificate on the title page. If the number be found correct, he shall certify to that effect on the title page. If there be a discrepancy, he shall return the book for correction to the officer from whom it was received.

Numbering of the consecutive volumes of Register Books.

4. The volumes of Register Books in each office shall be numbered in a consecutive series, which shall not terminate with the year but be carried on perpetually. It shall not be necessary to commence a fresh volume at the commencement of a new year. When the amount of copying is great, two volumes of a Register Book may be employed simultaneously, instruments bearing an even serial number being copied into one and those bearing an odd serial number into the other.

(b) Index of Register.

(Notn. No. 3807, *B.G.G.*, 1885, Pt. I., p. 738.)

5. An Index of all entries in the Registers shall be prepared in the form of Appendix B. The Index shall be prepared alphabetically in each Táluka Village Registry Office and Village Registry Office, and shall in the latter case be forwarded on or before the 5th of each calendar month by the Village Registrar to his Táluka Village Registrar.

6. It shall be the duty of the Táluka Village Registrar to arrange the Index of each of the Village Registry Offices of his táluka circle, including that of his own immediate circle, in due order for binding, taking especial care that no Index sheets of one Village Registry Office are mixed up with those of another, and seeing that all the sheets bearing one and the same letter are, for each Village Registry Office, brought together for the year according to the order of their preparation before being bound. A blank page should be inserted in each Index file, before being bound at each place where the Index for one Village Registry Office terminates and that of another commences. At the end of the year the Index for the táluka shall be bound into volumes.

Certain rules under Act III, 1877, to be observed in preparing the Index.

7. The rules for the time being applicable to the Indexes of the Registers kept under the Indian Registration Act, 1877, shall be followed in the preparation of the Index under these rules so far as regards:

(a) the method of indexing and transliterating names of villages;

(b) the use of the loose sheets supplied for the preparation of the Index.

(c) Claim-Note and Day Books.

(Notn. No. 7538, *B.G.G.*, 1886, Pt. I., p. 1077.)

8. A claim Note Book in the form of Appendix C and a Day-Book in that of Appendix D shall be kept by each Village Registrar.

If the registration of an instrument is completed on the day for the attestation of the instrument and before the claiming party under such instrument leaves the office, no claim-note from this book need be granted to such party.

It shall be the duty of the Village Registrar, if possible, to complete the registration of an instrument on the same day on which such instrument is prepared and attested by him.

If, however, when a party claiming under an instrument leaves the office, the registration of such instrument is not complete, the Village Registrar shall grant to such party a claim-note, with the amount of fee endorsed thereon, which shall afterwards be taken back and filed when the instrument to which it relates is delivered to the party who claims it or to such other person, if any, as he has nominated in writing in that behalf in the claim-note, and the signature of such party shall be taken in the Day-Book acknowledging receipt of such instrument.

(d) Cash Book.

Cash Book.

9. Every Táluka Village Registrar and Village Registrar shall keep a Cash Book in the form given in Appendix E, and in this book shall be entered all fees paid for registration, &c.

(e) General Provisions.

Local offices of issue for books and forms.

10. The office of every Táluka Village Registrar shall be the local office of issue for books, forms, &c., to the other Village Registrars of the táluka in which such office is situate.

Transfer of records to office of Táluka Village Registrar.

The office of each Táluka Village Registrar shall be a central office of record for the Village Registry Offices of the táluka, and the Register Books of the latter Village Registry Offices shall be forwarded to the said Táluka Village Registrar for the purpose of being recorded as they from time to time become complete.

Subject to the sanction of the Inspector General of Registration, a Cash or Day-Book may be destroyed after a lapse of six years from the date of the final entry appearing therein. (Notn. No. 6438, *B.G.G.*, 1890, Pt. I., p. 941, 11th Sept. 1890.)

Village Registrars where to hold their offices, &c.

11. All Village Registrars except Táluka Village Registrars shall hold their office in the chávdi of the Village, which is the head-quarters of his circle, office hours being from 11 A.M. to 5 P.M. On closing the office, the registration books, &c., shall be secured in a box or otherwise and given in charge of the Village Police for safe custody.

Táluka Village Registrars and Village Registrars to provide their own writing materials and to be responsible for quality of writing and condition of the records.

All Táluka Village Registrars and Village Registrars shall provide out of the amount received by them as remuneration whatever writing materials they may require for the work of their respective offices, excepting such blank forms and books as are supplied by Government. They shall be responsible that all instruments drawn up by

them or under their superintendence are written intelligibly, legibly and distinctly, and that their records are kept neatly and in order.

Destruction of old papers.

12. No Village Registrar shall destroy any of the old papers of his office without having first obtained the sanction of the Registrar through the Táluka Village Registrar.

III.—PROCEDURE.

(*f*) *Execution and Registration of Instruments under Sections 57 and 58.*

(Notn. No. 7538, *B.G.G.*, 1886, Pt. I., p. 1078.)

Preliminary measures to be taken before an instrument is written.

13. Village Registrars shall duly satisfy themselves of the identify of each executant, and shall receive the fee for registration before the instrument is written. They shall also pay careful attention to the requirements of the Stamp Act and the rules issued under it.

Preparation of instruments.

14. Every Village Registrar shall be provided under the orders of the Registrar with specimen forms of all instruments to which agriculturists are ordinarily parties. In drafting an instrument care must be taken to follow the best obtainable form, and while fully expressing the intentions of the parties, to avoid repetition or prolixity.

Above all, the language employed should be simple and clear, and the description of immoveable property, if any has to be mentioned in the instrument, should be such as to enable the property to be unmistakeably identified. When the instrument relates to land to which a survey has been extended, the survey numbers shall be set forth.

The Village Registrar shall ordinarily draw up the instrument himself, and shall only employ any person to do so under his superintendence when he is prevented by an exceptional press of work, or other unavoidable cause, from drawing up the instrument himself.

When the instrument is not drawn up by the Village Registrar himself but under his superintendence, the person drawing up the instrument shall be chosen by the Village Registrar, and is in no case to be remunerated by the parties themselves but by the Village Registrar from his percentage fees.

Endorsements to be made on the instruments after its execution.

15. When the instrument has been written, it shall be read out to all the parties by the Village Registrar and executed as provided in section 57 as amended by Act XXIII of 1881.

(Notn. No. 7538, *B.G.G.*, 1886, Pt. I., p. 1077.)

The Village Registrar shall then endorse upon the instrument a note in the following form :—

"Fee received for—

	Rs.	a.	p.
Preparation and registration	0	0	0
Total ...Rs.			

Immediately below this note shall appear the endorsement of attestation required by para. 2 of section 57 in the following form :—

"This instrument written by me [*under my superintendence*], after having been read aloud within his hearing, has been executed by *A. B.* of *C. D.*, whom I know [*of whose identity I have duly satisfied myself*] in my presence this day."

If a witness is examined as to identity, his signature and place of residence shall be taken as under :—

"I *E. F.* of *G. H.* identify *A. B.*"

(*Signature or mark of E. F.*)

The endorsement shall be signed and dated by the Village Registrar ; and if any of the parties to the instrument is unable to read it, the attestation by two respectable witnesses shall immediately follow that of the Village Registrar in the following form :—

"We *I. J.* of *K. L.* and *M. N.* of *O. P.* have witnessed the execution this day of this instrument by *A. B.* of *C. D.*"

(*Signature or mark of I. J.* of *K. L.*)

(*Signature or mark of M. N. of O. P.*)

The Village Registrar shall next endorse upon the instrument the note required by para. 2 of section 59 as to whether or not the transfer of the consideration named therein or of any part thereof took place in his presence. This note shall be in one or other of the following forms, as the case may be :—

"*A. B.* of *C. D.* has in my presence this day received from *Q. R.* of *S. T.* the sum of Rs. (*to be entered both in figures and words*) [*the following articles, viz.* ———], being the whole [*a part*] of the consideration stated in this instrument ;"

or

"No portion of the consideration stated in this instrument has been paid in my presence to *A. B.* of *C. D.*"

The endorsement shall be signed by the Village Registrar.

Immediately below such declaration shall be endorsed a further note showing number of instrument and page and volume of the Register Book in which it is registered.

Finally, at the foot of all these endorsements shall be affixed the Village Registrar's signature with his official designation "*Village Registrar of*——." and the date of such signature.

(*Vide* Notn. No. 8423, *B. G. G.*, 1884, p. 1147.)

*15B. It shall be the duty of the Village Registrar to enquire whether the instrument about to be executed will modify or wholly or partly supersede any previous instrument; and if the parties answer in the negative, the following declaration shall be endorsed on the instrument and signed by the claiming party or parties or by his or their authorized agent:—

"I (or we) hereby declare that this instrument does not modify or wholly or partly supersede any previous transaction or instrument."

Marking of previous instruments for identification.

16. Except as hereinafter provided no instrument which is intended to supersede or modify a previous instrument shall be prepared as laid down in Rules 14 and 15 unless such previous instrument has been produced in accordance with para. 3 of section 59 before a Village Registrar, who shall, on its production, write upon it the following note:—

"This instrument has been modified [*wholly or partly superseded*] by instrument No.——of 189 .

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* Memo. of Acting L. R.:— An intending executant was accompanied to the Sub-Registrar's office by one Rámkrishna, the *brother* of Sávliárám, the person in whose favour the document was to be executed.

"2. Rámkrishna gave his name as Sávliárám and assured the Sub-Registrar that the intended document would not affect any previously executed document.

"3. It appears that Rámkrishna had no dishonest motive. But as section 57 as amended by section 13 of Act XXIII of 1881 requires any relation of an obligee so appearing to produce a power-of-attorney, Rámkrishna seems to have personated his brother merely to save trouble and expense.

"Rule 15 *B*, under which a statement of the nature made by Rámkrishna is required, is made under section 61 of Act XVII of 1879.

"4. No penalty could attach to a false answer to any inquiry under that rule—

(*a*) because section 61 of Act XVII of 1879 empowers the Inspector General to make rules only to regulate the proceedings of his subordinates and not to impose duties on the public;

(*b*) Rule 15 *B* prescribes only the duties of the Village Registrar, and no provision of law imposes a corresponding duty on the person interrogated.

(*c*) Section 63 A (section 11—XXIII of 1886) merely imposes additional duties on the Registrar under sections 57 and 59 of the Deccan Agriculturists' Relief Act, and does not make those inquiries a part of the Registration Act III of 1877, which is only to be followed *after* the procedure prescribed by the Deccan Agriculturists' Relief Act has been followed.

"5. For these reasons I do not think any offence has been committed under the Registration Act.

"6. The Inspector General says this case is one of little moment and apparently there was no *malâ fides*.

"7. I do not think that in this case a conviction could be had under section 182, Indian Penal Code, as the intention of the accused was to save himself and his brother trouble and not to cause the Registrar to do what he ought not to do.

"8. Should any case of real *malâ fides* occur in future, I think that section 182 and section 471 of the Indian Penal Code would be the appropriate sections under which a conviction might be obtained." (G. R. No. 6676, dated 6th October 1888, R. D.)

executed in my presence by *A. B.* of *C. D.* in favour of *Q. R.* of *S. T.*, and attested by me this day."

On the new instrument which modifies or supersedes the previous instrument the Village Registrar shall write, at the top of the document, immediately over the stamp impression, if there be any, the following note :—

"The instrument dated———executed by *A. B.* in favour of *Q. R.*, which this instrument modifies [*supersedes*] has been produced before me this day, and a note of such modification [*supersession*] has been endorsed by me thereon."

Provided that the writing of this note shall not dispense with the necessity of a full description of the old instrument being contained in the new one as required by section 59.

Proviso.

If in any case it be established to the satisfaction of a Village Registrar that a previous instrument of the nature of that named in this rule has been lost or destroyed, or for other sufficient reason cannot be produced, he shall record, on the new instrument in lieu of the last-mentioned note, a note to the following effect :—

"It has been established to my satisfaction that the instrument dated———executed by *A. B.* in favour of *Q. R.*, which this instrument modifies [*supersedes*] has been (*here state why the instrument cannot be produced*), and cannot therefore be produced before me."

To each of the above notes the Village Registrar shall attach his signature and official designation, together with the date of signature.

Preparation and registration of instrument at private residence.

17. In ordinary cases all instruments shall be drawn up and registered at the office of the Village Registrar authorised to prepare the same. But on special cause being shown, such officer may attend at the residence of any person desiring to have any instrument prepared and shall charge an additional fee as laid down in the Fee Table prescribed under section 63.

(*g*) *Provisions applicable to registration by Village Registrars under section 58.*

Corrections in the original instrument to be attested.

18. If in writing an instrument it has been found necessary to make any corrections in the nature of erasures, interlineations, &c., the same shall be initialled by the Village Registrar and clearly noted at the end of the instrument immediately above the signatures of the executants.

Provision when space afforded by single piece of paper is insufficient to contain all the writing of an instrument.

19. If in any case the space afforded by a single piece of paper is found insufficient to contain all the writing of an instrument and it is necessary to attach an extra piece or pieces thereto, the Village Registrar shall write his signature across the junction of the two or more pieces of paper of which

the instrument consists both on the front and on the reverse side and make a note in the Register Book at the foot of the entry of how many pieces of paper in addition to the stamp paper the instrument consists.

(Notn. No. 958, *B. G. G.*, 1885, p. 177.)

Memorandum of instrument registered by Táluka Village Registrar to be sent to Village Registrar of circle in which property is situated or in which executant resides.

20. A Táluka Village Registrar who registers any instrument in the exercise of concurrent jurisdiction or the Village Registrar when registering document relating to immoveable property situate either wholly or partly in some circle other than his own shall, on such registration being completed, forward to the Village Registrar within whose circle the property affected by the instrument is situated, or in case of instrument relating to moveable property, to the Village Registrar of the circle in which the executant or executants of such instrument resides or reside, or if the property be situated or executants reside in different circles, to the Village Registrars of each such circle a memorandum of instrument so registered in the Form of Appendix F. These memoranda shall be filed in the Village Registrar's office to which they may be sent for two calendar years, subsequent to which period they may, with the sanction of the Registrar through the Táluka Village Registrar, be destroyed.

Mode of copying instruments into the Register.

21. In copying an instrument into the Register Book the endorsements prescribed by Rules 15 and 16 shall be copied in column 2 and the contents of the instrument itself shall be copied in column 3. When the instrument is stamped, the value of the stamp and stamp vendor's endorsement appearing on the original instrument shall be copied in column 3 of the Register Book above the entry.

(Notn. No. 4296, *B. G. G.*, 1885, Pt. I., p. 803.)

Method of noting errors, erasures, &c., in original instruments in the copies thereof in the Register.

22. Errors, erasures, or alterations appearing in original instruments or in the endorsements thereon shall be copied into the Register exactly as they appear in those instruments or endorsements, marginal notes being written explanatory of such errors, *e. g.*, "so in the original" or corresponding words in the Vernacular with a * over the error and a corresponding mark over the marginal entry relating thereto.

Attestation of copy of instrument in Register Book and method of attesting corrections in that copy.

23. On the copy in the Register Book being completed, the Village Registrar having carefully compared it with the original shall certify under his signature, with his official designation attached, that it is a true copy. Any mistakes made at the time of copying shall be corrected by the words written by mistake being underlined and the correct words being written above, or by the words omitted being neatly interlineated; but the Village Registrar shall attest all such corrections in the Register Book

by attaching his initials thereto and certify at the foot of the entry that these mistakes were made at the time of copying. (Notn. No. 7538, *B. G. G.*, 1886, Pt. I., p. 1077.)

Entries in Register Book how to be numbered and marked.

24. All entries in a Register Book shall be numbered in a consecutive series which shall commence and terminate with the year, a fresh series being commenced at the beginning of each year. The serial number shall appear in column 11, being distinguished in the case of instruments relating to immoveable property by the letter A and in that of instruments relating to moveable property by the letter B.

Termination of one entry and commencement of next to be shown in the Register Book.

An ink line shall be drawn from left to right across the page of the Register Book to show where one entry terminates and where the next begins, such line being drawn immediately below that portion of the copy, whether in column 2 or column 3, which appears lowest down on the page. The entry relating to one instrument in one column shall in on case be made alongside of the entry relating to any other instrument in the other column.

(*h*) *Copies and Searches.*

25. All errors, interlineations, &c., appearing in the registered entry shall be shown in any copy granted under the fourth paragraph of section 58 in the same manner as they appear in the Register as required by Rule 22, and mistakes made in preparing the copy shall be corrected in the manner prescribed in Rule 23 for correcting mistakes when copying instruments in the Register. In certifying any copy of a registered entry a Village Registrar shall attach his full official designation thereto as well as his signature. (Notn. No. 7538, *B. G. G.*, 1886, Pt. I., p. 1078.)

* On furnishing a copy† as aforesaid, the Village Registrar will fill in the first two columns of the Day-Book with a reference to the entry for a copy of which the application is made; he shall further enter in the fourth column the date on which the copy is granted and in the fifth column shall obtain the signature of the party or of the agent or representative to whom the copy is delivered."

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*Memo. by Legal Remembrancer as to copies of wills:—A "will" in the sense in which that word is understood by Europeans, is an instrument to which there is only one party, the testator himself. The testator is the party entitled to the custody of the original instrument, and under para. 2 of section 58 of the Dekkhan Agriculturists' Act, the will ought to be delivered to him by the Village Registrar before whom it is executed. And as there is no "other party" to such an instrument, the directions of the section as to supplying a copy of the instrument to the other party, must in such a case be held inoperative. But what is called a will amongst natives, is frequently given by them into the possession of the person intended to be benefited by it. If this be the executant's intention in any case that comes before a Village Registrar, there is, I think, no reason why the directions of section 58 of the Act should not be fully carried out. (G. R. 2839, dated 22nd April 1885, J. D.)

† A copy granted under para. 4 of section 58 is exempt from stamp duty under the Government of India Notification No. 10 of 3rd January 1880, published at p. 40, *B. G. G.*, Pt. I., 1880 (see now Notn. 5833, *B. G. G.*, 1889, pp. 1008 to 1017, quoted in Part X. of this compilation.)

Applications for copy, search or inspection. Receipt for any payment on account of the above to be always given.

26. *Subject to the payment of the fees prescribed in this behalf by Government under section 63, Register Books and Indexes and Memoranda filed under Rule 20, shall be open to the inspection of any person applying to inspect the same, and copies of entries therein shall be given to, or may be taken by, any person applying for such copies: Provided that no Register Book or other record of a Village Registrar's Office shall be inspected by any person other than a Government officer, save in the presence of the Village Registrar, and in the place used by him as his office, and that all applications for inspection or for copies shall be in writing.

Any person permitted to inspect such records may search for any entry therein, or if he shall so desire, such search shall be made for him, as aforesaid, by the Village Registrar.

For any payment made under this rule a receipt in the form of Appendix G, shall be granted by the Village Registrar.

(i) Returns.

(Notn. No 3807, *B.G.G.* 1885, p. 738.)

Preparation of monthly return, &c.

27. At the close of each month all Village Registrars as aforesaid shall forward to the Táluka Village Registrar a statement in the form of Appendix H, showing the number of instruments registered, and all fee collections made during that month including those on account of searches and copies granted under Rule 26.

From the returns thus sent, and from the information to be gathered from the books of his own office, the Táluka Village Registrar shall prepare a general Monthly Return for the whole of the Village Registry Offices of the táluka in the form of Appendix H, and shall submit the same to the Registrar, in whose office again a general District Monthly Return of the same kind shall be prepared and forwarded to the Inspector General of Registration.

(j) Remittances.

Remittances to the Treasury how to be made.

28. Remittances on account of registration fees, &c., shall be sent as follows to the Treasury :—

by Táluka Village Registrars, to the Táluka or Petha Treasury along with the collections of the office under the Indian Registration Act, 1877;

by Village Registrars, by means of the village Mahárs, monthly to the Táluka Village Registrar, who shall immediately on receipt enter the same in his Cash Book and pay the amounts into the Treasury as ordered above.

* Applications made, and certified copies granted under this Rule, will be subject to the provisions of the Court Fees and Stamp Acts, independently of the copy and search fees leviable under the rules made by Government under section 63 of the Deccan Agriculturists' Relief Act, 1879.

The amounts thus remitted monthly shall be sent so as to reach the Táluka Village Registrar not later than the 25th, or in the case of Táluka Village Registry Offices where there are no Treasuries, not later than the 20th of each month; or if these dates fall upon a Sunday or gazetted public holiday, not later than the day preceding such Sunday or holiday. In March remittances may be made so as to reach the Táluka Village Registrar not later than the 31st of that month.

A remittance by a Táluka Village Registrar shall be accompanied by his Cash Book in which, on the remittance being paid in, the receipt of the Treasury Officer for the amount shall be obtained.

Remittances by Village Registrars shall be accompanied by a Chullan, which Chullan shall be countersigned by Táluka Village Registrar as acknowledgment of receipt of money and re-transmitted by him to the Village Registrar in whose office it shall be filed.

(*k*) *Correspondence.*

Táluka Village Registrars to be the medium of communication between Village Registrars and the Registrars.

29. Táluka Village Registrars shall, as regards official correspondence, be the medium of communication between the Village Registrars and the Registrars.

Correspondence how to be sent.

Where there is no post-office, correspondence from and to the offices of Village Registrars shall be sent by means of the village Mahárs, who shall be remunerated at the rate of rupee one per mensem.

References from Village Registrars how to be disposed of in certain cases.

References from Village Registrars, regarding matters of procedure, when the point involved is of minor importance and the Táluka Village Registrar to whom the reference is addressed entertains no doubt as to what the answer should be, may be disposed of by the latter without further reference to the Registrar. The reply of the Táluka Village Registrar to a reference of the above nature shall, however, be in the shape of advice, not in that of an order. A Register of such references, showing also the manner in which they have been disposed of, shall be kept by each Táluka Village Registrar, who shall be responsible for the exercise of due discretion in replying thereto. When in doubt on any point, the Village Registrar shall refer the matter to the Registrar.

30. If an original instrument which has been executed and registered under the provisions of section 58 of Act XVII of 1879 being unclaimed by the party entitled to the custody of the same has remained in the custody of a Village Registrar for sixty days from the date of its registration by such Village Registrar, such Village Registrar shall forward such original instrument to the Táluka Village Registrar for safe custody. (Notn. No. 3405, *B. G. G.*, 1888, Pt. I., p. 584).

APPENDICES OF RULES UNDER SECTION 61.

APPENDIX A.—(SEE RULE 2).

Serial Number.	Endorsements.	Copy of Instruments.

APPENDIX B.—(SEE RULE 5).

Form of Index under Rule 6 framed under Act XVII of 1879.

Name of Village in which Property is situate.*	Description of Property.	Name of Office in which Instrument is registered.	Name and Place of Residence of Executant or Executants.	Nature of Instrument and Consideration or Value.	Name and Place of Residence of Claiming Party.	Date of Registration and Reference to Register.

*N.B.—In case of instruments relating to moveables, the name of village in which the executant or executants eside should be entered in column 1.

APPENDIX C.—(SEE RULE 8).

Form of Claim-Note Book.

On production of this note by the conveyance or mortgage belonging to him and attested by me this day will be delivered to him by me (or a copy of the conveyance or mortgage executed by him and attested this day will be deliverd to him by me, or otherwise, as the case may be).

Received fees as follows:—

For drawing and registering instrument ... Rs.
Copy fee ... ... Rs.

Total ... Rs.

Village Registrar.

APPENDIX D.—(SEE RULE 8, CLAUSE 4).

Number of Volume.	Serial Number.	Number of Copies to be granted.	Date on which Instrument returned or Copy granted.	Signatures of Executants or their Agents acknowledging receipt of Instruments and Copies.

APPENDIX E.—(See Rule 9).

Form of Cash-Book.

Wednesday, 7th January 1882.

	Rs.	a.	p.	Rs.	a.	p.
Fees on Entry No. 131 of 1882 at page 88 of Register Book—						
Registration...	0	4	0			
Copy	0	1	0			
				0	5	0
Fees on Entry No. 132 of 1882 at page 89 of Register Book—						
Registration...	0	8	0			
2 Copies	0	4	0			
				0	12	0
Remitted to Táluka Village Registrar or Treasury, as the case may be...				1	1	0

(Signed) *A. B.*,

Village Registrar of_____

APPENDIX F.

Memorandum under Rule 20 framed under Act XVII of 1879.

Serial Number.	Copy of Endorsement.	Nature of Document.	Description and Value of Property affected by the Document.	Situation of Property.	Names of Executing Parties.	Place of Residence.	Profession, Rank, or Title.	Names of Claiming Parties.	Place of Residence.	Profession, Rank, or Title.	Reference to Register.

Forwarded to the Special Village Registrar of

Date of Receipt

Date }

Táluka Village Registrar.

APPENDIX G.—(See Rule 26, Clause 3).

Received from for

(search, or grant of copy, or inspection).

Village Registrar.

APPENDIX H.—(See Rule 28.)

Detailed Statement showing the Classification of all Instruments registered.

Nature of Instruments.	Immoveables.				Moveables.				
	New Transactions.	Novation of old Transactions.	Instruments partly relating to old and partly to new Transactions.	Total.	New Transactions.	Novation of old Transactions.	Instruments partly relating to old and partly to new Transactions.	Total.	Grand Total.
Deeds of Sale									
Mortgages with Possession									
Mortgages without Possession...									
Deeds of Gift									
Leases for periods not exceeding one year ...									
Leases for periods exceeding one year									
Bonds									
All other Deeds									
Total ...									

Registrar of

STATEMENT.

Statement of Instruments registered during the month ending

Nature of Instrument.	PREPARATION AND REGISTRATION OF INSTRUMENTS AFFECTING IMMOVEABLE PROPERTY.																									
	The Value or Consideration not exceeding Rs. 20.		The Value or Consideration exceeding Rs. 20 but not exceeding Rs. 50.		The Value or Consideration exceeding Rs. 50 but not exceeding Rs. 100.		The Value or Consideration exceeding Rs. 100 but not exceeding Rs. 200.		The Value or Consideration exceeding Rs. 200 but not exceeding Rs. 300.		The Value or Consideration exceeding Rs. 300 but not exceeding Rs. 400.		The Value or Consideration exceeding Rs. 400 but not exceeding Rs. 500.		The Value or Consideration exceeding Rs. 500 but not exceeding Rs. 1,000.		The Value or Consideration exceeding Rs. 1,000 and upwards.		No Value or Consideration being expressed in the Deed.		Instruments which cannot be brought under the *ad valorem* Scale.		Copies granted to parties concerned.		Total.	
	1		2		3		4		5		6		7		8		9		10		11		12		13	
	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.
Deeds of Sale																										
Mortgages with possession																										
Do. without possession																										
Deeds of Gift																										
Leases for periods not exceeding one year ..																										
Leases or periods exceeding one year																										
Bonds																										
All other Deeds																										
Total ..																										

Nature of Instrument.	SEARCHES AND INSPECTIONS BY				Copies granted.		Memos. under Rule 22.		POWERS-OF-ATTORNEY ATTESTED.				Total Fees, &c., received.	Ex		
	Applicant.		Registering Officer.						General.		Special.			Salaries of		
														Kár. Registrar's kuns.	Táluka Village Registrar.	Special Village Registrar.
	29		30		31		32		33		34		35	36	37	38
	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	Amount.	Amount.	Amount.	Amount.
Deeds of Sale																
Mortgages with possession																
Do without possession																
Deeds of Gift																
Leases for periods not exceeding one year ..																
Leases for periods exceeding one year.																
Bonds																
All other Deeds																
Total ..																

189 *in the Village Registration Office of* *Táluka*

Total aggregate Value of Immoveable Property.	Preparation and Registration of Instruments of moveables.																									
	The Value or Consideration not exceeding Rs. 20.		The Value or Consideration exceeding Rs. 20 but not exceeding Rs. 50.		The Value or Consideration exceeding Rs. 50 but not exceeding Rs. 100.		The Value or Consideration exceeding Rs. 100 but not exceeding Rs. 200.		The Value or Consideration exceeding Rs. 200 but not exceeding Rs. 300.		The Value or Consideration exceeding Rs. 300 but not exceeding Rs. 400.		The Value or Consideration exceeding Rs. 400 but not exceeding Rs. 500.		The Value or Consideration exceeding Rs. 500 but not exceeding Rs. 1,000.		The Value or Consideration exceeding Rs. 1,000 and upwards.		No Value or Consideration being expressed in the Deed.		Instruments which cannot be brought under the ad valorem Scale.		Copies granted to parties concerned.		Total.		The aggregate Value of Moveable Property.
14	15		16		17		18		19		20		21		22		23		24		25		26		27		28
Amount.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	No.	Fees.	Amount.

ENDITURE

Táluka Village Registrar's Kárkúns.	Commission at 20 per cent.	Commission at 5 per cent.	Fixed Contingencies.	Furniture.	Postage.	Remuneration to Mahárs.	Miscellaneous.	Total.	Surplus.	Deficit.
39	40	41	42	43	44	45	46	47	48	49
Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.	Amount.

Registrar of

Monthly Statement of Arrears in the Circle of *on the 1st* 189

Village or Táluka Registrar.	Number of Documents to be copied.	Number of Copies to be prepared.	Number of Documents, &c., of which registration is completed, remaining unclaimed in Office.		Details of Documents in hand.
			Instruments.	Copies.	
					10 instruments from April 1882. 5 instruments from May 1882. 20 copies from May 1882. 20 do. from June 1882.

Detailed Statement showing Number of Transactions of each Nature in each Registration Circle according to Number of Column in Statement of Instruments registered during the month.

Name of Circle.	Deeds of Sale.	Mortgages with Possession.	Mortgages without Possession.	Deeds of Gift.	Leases for periods exceeding one year.	Leases for periods not exceeding one year.	Bonds.	All other Deeds.
	5 of 1, 2 of 3, 3 of 5, 5 of 8, 1 of 11, 3 of 15, 4 of 16, 1 of 20 and 1 of 24.	5 of 2, 3 of 4, 6 of 6, 1 of 7.	1 of 1, 2 of 3, 5 of 4, 7 of 9, 2 of 15 and 3 of 16.	1 of 1 and 1 of 16.	2 of 2 and 7 of 9.	1 of 3 and 8 of 5.	7 of 15, 2 of 16, 1 of 20 and 1 of 24.	1 of 1, 2 of 4, 7 of 5, 8 of 15 and 2 of 24.

N.B.—To be prepared by Táluka Village Registrar from the various returns received from Village Registrar and sent with his general statement.

(B).—Rules under Section 63.

The following rules are made by the Governor of Bombay in Council under the provisions of Section 63 of the Deccan Agriculturists' Relief Act, 1879, and in supersession of all previous rules on the same subject:—

Rules regulating the appointment, suspension, dismissal, and remuneration of District Inspectors and Village Registrars.

Appointments, suspension and dismissal of District Inspectors.

1. Every Inspector shall be appointed by and may be suspended or dismissed by the Inspector-General of Registration and Stamps; but shall not be dismissed without the sanction of Government being first obtained. (No. 6710, *B. G. G.*, 1882, Pt. I., p. 868.)

Appointments, suspension and dismissal of Village Registrars.

2. Every Village Registrar not being a Sub-Registrar shall be appointed by and may be suspended or dismissed by the Registrar; but shall not be dismissed except with the concurrence of the Inspector-General: provided that the first appointments of Village Registrars made after the publication of these Rules shall be made subject to the approval of Government.

Every Sub-Registrar appointed under the Indian Registration Act, 1877, in the districts to which the Deccan Agriculturists' Relief Act extends shall be *ex officio* Táluka Village Registrar for the Táluka of which he is Sub-Registrar. (No. 4462, *B. G. G.*, 1884, Pt. I., p. 453.)

Percentage commission to Táluka Village Registrars and Village Registrars.

3. In addition to any fixed salary all Táluka Village Registrars and Village Registrars shall draw 20 per cent. on the fee collections of their respective offices, and in addition to the above, Táluka Village Registrars shall draw 5 per eent. on the gross collections of their respective tálukás.

Fines to Táluka Village Registrars and Village Registrars for neglect of duty, &c.

4. In case of neglect of duty, carelessness or other official misconduct in contravention of the provisions of the Deccan Agriculturists' Relief Act, the Registrar may fine any Táluka Village Registrar or Village Registrar a sum not exceeding half a month's salary drawn under this Act, and shall report the case to the Inspector-General.

Village Registrars to give security.

5. No security for the due performance of their duties shall be required from Táluka Village Registrars, who are required to furnish security as Sub-Registrars; but Village Registrars shall be required to give security to the extent of Rs. 100. The security bond of a Village Registrar shall be in the form in use in the Revenue Department. The sureties may be one or two in number as the Collector, in whose charge the bond should be kept, directs.

Arrangements to be made during absence of Special Village Registrars from their offices.

6. In case of a Village Registrar being unable to attend to his duties owing to sudden illness or other cause he shall make an immediate report to the Táluka Village

Registrar of the sub-district, who shall forthwith report the absence of the village Registrar to the Registrar. If a *locum tenens* be appointed, his salary shall be regulated by the existing rules. Pending arrangements being made by the Registrar, the office of such Village Registrar shall be considered as closed, and applicants shall be directed by the village authorities to the Táluka Sub-Registrar.

(No. 7539, *B. G. G.*, 1886, Pt. I., p. 1078.)

7. Table of fees to be levied by Village Registrars, with effect on and from the 1st day of January 1887, namely :—

	Rs.	a.	p.
I. For writing or superintending the writing and for attesting and registering any instrument :			
(*a*) *If the amount or value of the consideration therefor or of the property to which such instrument relates, is expressed therein :*			
(1) When the amount or value does not exceed Rs. 50 ...	0	4	0
(2) Do. do. exceed Rs. 50 but does not exceed Rs. 100	0	8	0
(3) Do. do. 100 do. 200	1	0	0
(4) Do. do. 200 do. 300	1	8	0
(5) Do. do. 300 do. 400	2	0	0
(6) Do. do. 400 do. 600	3	0	0
(7) Do. do. 600 do. 1,000	4	0	0
(8) Do. do. 1,000 do. 1,500	5	0	0
(9) Do. do. 1,500 do. 2,000	6	0	0
(10) Do. do. 2,000 do. 3,000	8	0	0
(11) Do. do. 3,000 do. 4,000	10	0	0
(12) Do. do. 4,000 do. 5,000	12	0	0
(13) Do. do. 5,000 do. 7,500	14	0	0
(14) Do. do. 7,500 do. 10,000	16	0	0
(15) Do. do. 10,000 do. 15,000	18	0	0
(16) Do. do. 15,000 do. 20,000	20	0	0
(17) For every Rs. 500 or part thereof in excess of Rs. 20,000 ...	0	8	0
(*b*) *If the amount or value is not expressed :*			
(18) A fixed fee of	2	0	0
(*c*) *If the instrument is a will :*			
(19) A fixed fee of	2	0	0
(*d*) *If the instrument is one which cannot be brought under the above ad valorem scale and is not a will :*			
(20) A fixed fee of	1	0	0
II. For granting a copy of an instrument as entered in the Register, or of a memorandum filed under rule 20, to any person who is not a party to the instrument to which such entry or memorandum relates or the agent or representative of a party thereto	0	4	0
III. For a search for or inspection of any entry in a Register, by any applicant ...	0	2	0
IV. For do. do. when the search is made by Village Registrar ...	0	4	0
V. For attendance at a private residence for the preparation of an instrument or for the attestation of a power-of-attorney	An extra fee equal to the ordinary fee in addition to batta at the usual rates.		

VI. For the attestation of a power-of-attorney:

(*a*) if special	0	2	0
(*b*) if general	0	4	0

Note (*a*).—In the case of leases, the amount or value of the consideration on which the *ad valorem* fee is to be assessed under Item I (*a*) of the above table shall be as follows:—

If the lease is granted	The fee will be assessed on:
(1) in consideration of the payment of a fine or premium only	the amount of such fine or premium paid or payable;
(2) in consideration of the payment of a fine or premium, in addition to rent reserved	the average annual rent reserved, in addition to the amount of fine or premium;
(3) in consideration of the payment of an annual rent, without the payment of fine or premium	the average annual rent reserved;
(4) for a period less than a year	the total sum payable under the lease;
(5) for an indefinite period	the average annual rent payable for the first ten years.

Note (*b*).—If a patta or lease be given to a cultivator and a kabuláyat or counterpart of such patta or lease be prepared and registered in the same office and on the same day as the patta or lease, the fee chargeable in respect of the two documents shall not be greater than the fee chargeable for the patta or lease alone.

Note (*c*).—In the case of annuity-bonds and service bonds and agreements to hire moveable property, the amount or value of the consideration on which the *ad valorem* fee is to be assessed under the item aforesaid shall be as follows:—

If the annuity-bond, service bond or agreement is granted or passed:	The registration fee will be assessed on:
(1) for a definite period exceeding one year	the average annual amount to be paid during the period;
(2) for an indefinite period	the average annual amount to be paid during the first ten years;
(3) for a period less than a year	the total amount payable under the annuity-bond, service bond or agreement.

Note (*d*).—If, in any of the above cases, the rent, annuity or remuneration is payable partly in money and partly in kind and the money value of the portion payable in kind is not expressed, the fee will be charged at twice the amount of the *ad valorem* fee chargeable in respect of the amount payable in money. And if the rent, annuity or remuneration is payable entirely in kind and the money value thereof is not expressed, a fixed registration fee of Rs. 2 will be charged.

"VII.—For the safe custody and return of any original instrument, which having remained in the hands of the Village Registrar for sixty days from the date of its registration, as unclaimed by the party entitled to the custody of the same, has been forwarded, under Rule 30, to the Táluka Village Registrar. (No. 3405 *B. G. G.* 1888, Pt. I p. 584.)† (Notn. No. 82 4, *B. G.* 1888, Pt. I. p. 744.)

(No. 4824, *B. G.*, 1888, Pt. I, p. 744.)

	Rs.	a.	p.
For every day that such original instrument remains in the custody of the Táluka Village Registrar up to the day when it is claimed by a party entitled to its custody	0	1	0

Provided, however,

(1) that no fee in excess of Rs. 3 shall in any case be levied for the custody and return of any one such original instrument.

(2) that the Inspector-General shall be empowered to remit any such fees in whole or in part in any particular case."

B 129—142 *†

APPENDIX TO RULES UNDER SECTION 63.

(Under Rule 3.)

HER MAJESTY'S GOVERNMENT OF BOMBAY. Dr.

The amount of percentage at 20 and 5 per cent. due to the Táluka Village Registrars and Village Registrars on the Fees collected and paid into the treasury of to the credit of Government during the month of 189 .

1	2	3	4									5												6
Táluka.	Names of Táluka Village Registrars and Village Registrars.	Collection.	How and when the Collections were credited to Government in the Treasury Officer's Cash Account.									Percentage payable.												Remarks.
		Fees.	Total amount paid into the Treasury.			Month.	Heading under which credited.			Item in which it is included.			Twenty per cent. on Fees.			Five per cent. on Gross Collection of the Táluka.			Deduct Fines.			Net Amount of Percentage payable.		
		Rs. a. p.	Rs.	a.	p.		Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	

Certified that the amount entered in column 4 has been credited to Government as above.

Táluka Village Registry Office,
189 .

189 .

Mámlatdár or Officer in charge of Táluka Treasury.

Táluka Village Registrar.

Under Section 75.

The following Rules are made by the Governor of Bombay in Council under the provisions of section 75 of the Deccan Agriculturists' Relief Act, 1879 :—

(No. 6710, *B. G. G.*, 1882, Pt. I., p. 870.)

Certain Village Registrars not to prepare or register instruments in which they are interested.

1. No Village Registrar shall prepare or register any instrument under the provisions of the Act to which he or any member of his family is a party. For the preparation or registration of any such instrument the parties shall be referred to the Táluka Village Registrar who has concurrent jurisdiction.

(Notn. 7729, *B. G. G.*, 1884, p. 928.)

2. *Cancelled.*

Recital as to payment of consideration.

3. No Village Registrar shall prepare or register any instrument under the provisions of the Act, unless it shall be stated in the body of such instrument whether the consideration mentioned in the instrument has already been paid or is to be paid hereafter, and if it has been paid, the manner in which such payment was made shall be fully set forth.

Powers-of-attorney recognizable for purposes for section 57.

4. For the purpose of section 57 the powers-of-attorney next hereinafter mentioned shall alone be recognized (that is to say) :—

(*a*) if the party executing a power-of-attorney at the time of executing the same resides in any district in which the Act is for the time being in force, a power-of-attorney executed before and authenticated by the Registrar or Sub-Registrar or Village Registrar within whose district, sub-district, or village such party resides :

(*b*) if the party at the time aforesaid resides in British India, but not in any district in which the Act is for the time being in force, a power-of-attorney executed before and authenticated by any Magistrate :

(*c*) if the party at the time aforesaid does not reside in British India, a power-of-attorney executed before and authenticated by a Notary public, or any Court, Judge, Magistrate, British Consul or Vice-Consul, or representative of Her Majesty or of the Government of India.

(No. 7540, *B. G. G.*, 1886, Pt. I., p. 1079.)

5. Applications for copies under the fourth paragraph of section 58 must be made in writing.

(No. 901, *B. G. G.*, 1887, page 141.)

*In preparing any instrument under section 63A of the Dekkhan Agriculturists' Relief Acts 1879 to 1886, Sub-Registrars shall be guided by the provisions of Nos. 13, 14, 15, 15B, 16, 17 and 18 of the rules made under section 61 of the said Acts by the Inspector General of Registration with the sanction of Government for regulating the proceedings of Village Registrars.

Vide Act XXIII of 1886, section 11.

(No. 892, B. G. G., 1885, Pt. I., p. 176.)

In exercise of the powers conferred by sections 29 and 75 of the Deccan Agriculturists' Relief Act, 1879, the Governor in Council is pleased to make the following Rules for the management by the Collector of immoveable property* of which he takes possession under section 22 or section 29 of that Act and generally for carrying out the provisions of the Act in respect of such property:—

1. When a Court directs the Collector to take possession of any immoveable property of a judgment-debtor or insolvent, it shall transmit with its order copies of all documents, orders or porceedings which it may think necessary to make the Collector aware of essential facts concerning the position of the judgment-debtor or insolvent, and the nature and extent of the proprety to be managed by him.

It shall also at any time furnish the Collector with copies of any documents, orders, or proceedings, other than those transmitted which the Collector for the purpose aforesaid desires to see.

2. The aforesaid copies shall be prepared and sent to the Collector free of all cost to the parties, being made by the Court's establishment.

3. On receipt of the Court's order, the Collector may either himself proceed to execute it, or may refer it, for disposal, subject to his supervision and control, to any of his subordinates not lower in rank than a Mahálkari.

4. The Collector or other officer to whom he so refers the Court's order, shall appoint a day for hearing any representations which the parties may desire to make, and shall cause a writen notice to be served on each of them on the day so fixed.

On the appointed day, or as soon thereafter as may be, the Collector or other officer aforesaid shall, after such inquiry as he deems fit, determine whether any portion of the property to which the Court's order relates is required for the support of the judgment-debtor or of the insolvent, and the support of the members of his family dependent upon him. The decision of any officer other than the Collector under this rule shall be subject to confirmation by the Collector.

5. Possession of the property or of so much of it as is not, in the opinion of the Collector, required for the support of the persons aforesaid, shall then be taken by the Collector or by the officer aforesaid on behalf of the Collector, and the fact of possession having been so taken shall be published by written notice to the parties, and by proclamation on or near the property in such manner as the Collector or other officer aforesaid deems suitable.

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*Standing crops were held to be immoveable property within the meaning of section 22 of XVII of 1879, I. L. R., 6 B., p. 592. But that section as amended by section 7 of Act XXIII of 1886 no longer exempts standing crops from attachment and sale. They appear, however, still to be immoveable property of which the Collector may under section 22 take charge.

6. If the fact of the judgment-debtor or insolvent being entitled to possession be disputed, or if any objection be raised to the Collector's taking possession of the property or of any portion of it, the Collector shall refer the parties concerned to the Court, and pending such reference shall stay proceedings in respect of so much of the property as is in dispute.

7. If after possession of the property has been taken under Rule 6, any order in writing is made by the Collector, under section 73A of the Act, directing that any other immoveable property not so taken shall be deemed to be reserved for the support of the judgment-debtor or insolvent, and the members of his family dependent on him, such order shall be published in the same manner as the fact of possession having been taken.

8. The Collector, or other officer aforesaid, may from time to time require by written notice the attendance of the parties in order to ascertain their wishes, or to obtain information which he may consider necessary to enable him to provide satisfactorily for the execution of the Court's order, and if any party fail to attend in pursuance of such notice, the Collector or other officer aforesaid may decide the matter in his absence, and he shall not be entitled to be heard afterwards with respect thereto.

9. If the property of which possession has been taken by or on behalf of the Collector is in the occupation of a tenant paying rent for a share of the produce to the judgment-debtor or insolvent, the Collector or other officer aforsaid shall issue a written notice to such tenant, requiring him to pay the rent or share to him for so long as his tenure subsists.

If there be no tenant in possession, or on the expiration of the tenure if the land is in the occupation of a tenant, the Collector or other officer aforesaid may let, for a term not exceeding the seven years to which his management extends, with or without payment of a premium, the whole or any part of the said property to the highest bidder; or may let on farm or manage by himself or another, the whole or any part of such property, or may adopt partly one of such modes and partly another or others of such modes as he may deem most convenient and profitable.

The person to whom the Collector or other officer aforesaid lets the property, or through whom he manages it, may be the judgment-debtor or insolvent, or any person who holds a decree against the judgment-debtor or insolvent, or a third party as may appear most convenient and beneficial to the parties.

10. The Collector shall from time to time render to the Court an account of all monies which come to his hands or to the hands of the officer aforesaid, and of all charges incurred in respect of the property in his management; and shall hold the balance at the disposal of the Court. Such charges shall include all debts and liabilities from time to time due to the Government in respect of the property, or any part thereof, and the rent, if any, from time

to time due to a superior holder in respect of such property or part.

11. Where the management is at an end and all monies which have come into the Collector's hands have been disposed of, he shall retransmit the papers received by him under Rule I, together with the proceedings connected with the management of the property, to the Court by post or in such manner as may be most convenient.

12. Every notice issued by the Collector or other officer aforesaid under these rules may be served in the manner prescribed by section 191 of the Bombay Land Revenue Code, or if the person to be served is a party to the proceedings in the Court and has a pleader, by forwarding a copy thereof to the Court to be served upon the pleader.

Departmental Rules.

Inspection.

Village Registry Offices subject to the inspection of the District Inspector.

1. The District Inspectors of Village Registry Offices shall be responsible that the work in the offices in their respective charges is carried out in strict accordance with the rules laid down, and also that the provisions of the Stamp Act and rules are duly complied with. The Inspection Reports of the Village Registry Offices by these officers shall be sent to the Registrars, who shall forward the same to the Inspector-General for perusal, by whom they shall be returned to the Registrar with any observations that he may think necessary. A copy of such report in Vernacular shall be given by the Inspector to the Village Registrar in charge of office concerned, for reference when the final orders are received by him. It will also be the duty of these Inspectors to make special reports to the Registrar of any irregularities or neglect of duty on the part of Táluka or Village Registrars which may come under their notice, as also regarding any complaints which they may from time to time receive from the public.

District Inspectors to submit monthly diaries along with Travelling Allowance Bills.

2. The District Inspectors shall also submit to the Registrar a monthly diary showing the number of offices visited and inspected by them and also anything special which may come under their notice in connection with Village Registration. The diary shall be an accompaniment to their Travelling Allowance Bill which will be passed by the Registrar.

Occasional Inspection for other officers.

3. Village Registry offices shall also be from time to time inspected by each of the following officers, viz. :—

1. The Collector of the District,
2. The Assistant or Deputy Collector in charge of the Táluka.
3. The Inspectors of Registration and Stamps,
4. The Mámlatdár or Mahálkari of the táluka or mahál,
5. The Special Judge,
6. The Assistants of the Special Judge,
7. The Subordinate Judges,

who shall bring to the special notice of the Inspector-General or Registrar any irregularities, &c., which they may observe.

Reports to be submitted on Village Registry Office Inspections.

4. The Inspector of Registration and Stamps shall submit a report of the results of his examination of Village Registry Offices, sending it to the Inspector-General of Registration through the Registrar. A vernacular copy of the same shall be handed over to the Village Registrar for record and reference when final orders on it are received. No Inspector shall issue any order on the subject of his inspection direct to any Village Registrar. Any of the officers named in the last preceding Rule other than the Collector who inspects a Village Registry Office, shall communicate his observations to the Registrar of the District.

On receipt of any such report or observations as aforesaid, the Registrar shall himself dispose of such matters as do not appear to him to require further reference. In more important matters he shall refer to the Inspector-General of Registration before passing orders.

Authentication of books examined.

5. Every Officer on completing the examination of a Village Registry Office shall sign the Cash Book, Day Book, &c., and authenticate the Register Book in current use by making a record therein to the following effect:—

"Examined this day from page in Volume to page in this book."

(Signed) *A. B.*

Contents of Inspection Reports.

6. Inspection Reports on Village Registry Offices shall be as brief as the circumstances of the case will admit of. They shall state generally whether the fees are properly levied, whether instruments are properly stamped and carefully drawn up, whether the work of registration is done with accuracy (especially with reference to the endorsements of attestation) and despatch, whether the writing in the Register is nearly done, and whether the fee collections have been properly remitted.

Annual Reports.

Submission of Annual Report.

7. The Registrar of each District in which the Deccan Agriculturists Relief Act, 1879, is in force, shall, shortly after the close of the official year on the 31st March, submit to the Inspector-General an Annual Report containing such general remarks as he may deem necessary on the work performed during that year by the Village Registrars of his District, with any suggestions which he may have to offer for facilitating, extending or improving the system of Village Registration. He shall also forward with such report such forms of annual returns as may be called for by the Inspector-General. (Approved by G. R. No. 6709, 26th October 1882, J. D.).

Rulings of High Court on the Act.

Section 13.—A contract on which a decree has been passed is merged in the decree, and no revision of either can thereafter be made under section 13. (I. L. R. 7 B. p. 330.)

Section 15 B.—A mortgagor cannot after expiry, without payment of time fixed by decree for redemption, be afterwards allowed to pay the amount of the decree by instalments. (I. L. R. 7 B. p. 532.)

Section 15B allows the Court to order payment of a decree by instalments either in the decree or in the Court of execution. But it does not authorise a variation of any order once so made, nor does section 20 authorise a series of instalment-orders, each one varying from the preceding. (I. L. R. 12 B. 326.)

KTG

COMPILATION OF GENERAL RULES IN FORCE IN THE REVENUE DEPARTMENT.

Addendum.

In rule I of the rules framed under clause (*a*) of section 40 of the Khoti Settlement Act, 1880 (Bom. I of 1880), published in Government Notification in the Revenue Department, No. 1659, dated the 11th March 1882, and embodied in the Compilation of General Rules in force in the Revenue Department at pages 573 to 593, after the entry relating to "*Late Crops*", insert the entry "*Takale.*—On or before the 31st December."

G. N. R. D. No. 4985, dated 24th May 1911, *B. G. G.*, 1911, Pt. I, p. 837.